

October 4, 2021

Dear UNCTAD Member States,

By definition, unilateral coercive measures violate international law when not approved by a United Nations Security Council resolution. There is a long history of the United Nations and international human rights bodies calling attention to the illegality of these measures, and to their negative impacts on mortality, poverty, and the well-being and full enjoyment of human rights by the affected populations.

The Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in 1993 called upon States to “refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impede the full realization of the human rights set forth in the Universal Declaration of Human Rights and in international human rights instruments, in particular the rights of everyone to a standard of living adequate for their health and well-being, including food and medical care, housing and the necessary social services”.

United Nations General Assembly (UNGA) resolutions A/RES/50/120 (1998) and A/RES/55/110 (2001) repeat this call, reject “unilateral coercive measures with all their extraterritorial effects as tools for political or economic pressure against any country, in particular against developing countries, because of their negative effects on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly” and reaffirm “in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development”.

The last of many UNGA resolutions in this regard (A/RES/75/181 dated 28 December 2020), also expresses concern “about the fact that the frequency, type, target and scope of application of unilateral coercive measures which are not in accordance with international law or the Charter, have expanded enormously in the international arena” and “strongly urges States to refrain from promulgating and applying any unilateral economic, financial or trade measures not in accordance with international law and the Charter that impede the full achievement of sustainable economic and social development, particularly in developing countries”.

In view, precisely, of the growing “frequency, type, target and scope” of unilateral coercive measures, there now is a substantive and growing body of analyses – both within and outside the UN – that highlights the illegality of such measures under international law as well as the disastrous economic and social impact of “sanctions programmes” that target entire countries or of “lists” that target core companies, on these countries’ populations.

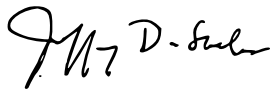
Our own research has shown that unilateral coercive measures interfere with sovereign countries’ rights to access international financial markets which are necessary to restructure debt; to access foreign assets needed to purchase essential food, medicines, and other supplies, and forecloses opportunities to purchase needed goods in the international marketplace. These negative impacts have been exacerbated during the Covid-19 crisis, when countries under such measures have been

prevented from accessing adequate supplies of Covid tests, treatments, vaccines, and medical equipment, leading to excess deaths likely in the thousands of people, in addition to the ongoing detrimental impacts on their health care, education, and other essential public services.

The United Nations Conference on Trade and Development (UNCTAD) is particularly well suited to utilize its three pillars of research and analysis, intergovernmental consensus-building and technical cooperation in order to ensure that developing countries may pursue development and ensure the human rights of their citizens, free of both financial and trade unilateral coercive measures. Most of the unilateral coercive measures that to-date target entire populations - directly or indirectly - affect developing countries and economies in transition. UNCTAD was founded to give developing countries a stronger voice in matters of international economic governance and to support the right to self-determination of developing countries. Its voice in addressing the rapidly expanding use of unilateral coercive trade and financial measures against developing countries, primarily to affect desired political change, and on the economic, social and human suffering caused by this to developmental goals, including the 2030 Agenda, must be heard, and urgently so.

A strong mandate by Member States for UNCTAD to expand its work on financial and trade-related unilateral coercive measures would thus seem indispensable to help ensure that developing countries can be free of bilateral political interference so that they may effectively utilize trade and finance relations to in pursuit of their development and the 2030 Agenda.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey Sachs". The signature is written in a cursive style with a large initial "J".

Jeffrey Sachs
Director of the Center for Sustainable Development at Columbia University.

A handwritten signature in black ink that reads "Mark Weisbrot". The signature is written in a cursive style with a large initial "M".

Mark Weisbrot
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